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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,279	08/20/2001	Lie-zhong Gong	1941. PKG	4642

7590 04/02/2004

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EXAMINER	
GOFF II, JOHN L	

ART UNIT	PAPER NUMBER
1733	

DATE MAILED: 04/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application No.	Applicant(s)	
	09/933,279	GONG ET AL.	
	Examiner	Art Unit	
	John L. Goff	1733	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 12 March 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.

b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.

2. ☐ The proposed amendment(s) will not be entered because:

   (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);

   (b) ☐ they raise the issue of new matter (see Note below);

   (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.

4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

5. ☒ The a)☐ affidavit, b)☐ exhibit, or c)☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: *See Continuation Sheet*.

6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

7. ☒ For purposes of Appeal, the proposed amendment(s) a)☐ will not be entered or b)☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: _____.

   Claim(s) objected to: _____.

   Claim(s) rejected: *11-14,20-22,24,29-32,34 and 39*.

   Claim(s) withdrawn from consideration: *23,25-28,33 and 35-38*.

8. ☐ The drawing correction filed on _____ is a)☐ approved or b)☐ disapproved by the Examiner.

9. ☐ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s). _____.

10. ☐ Other: _____

JEFF H. AFTERGUT
PRIMARY EXAMINER
GROUP 1300

Continuation of 5. does NOT place the application in condition for allowance because:

Applicant argues, "The polymer insert of Jones is not an adhesive and Jones does not, as argued by the examiner, teach an adhesive composition that bonds substrates together." Jones teaches a plastic film comprising an energy-absorbing ingredient at the interface of two plastic substrates wherein energy is applied to heat the energy-absorbing ingredient and melt the plastic of the film and substrates thereby joining the two substrates. Thus, the plastic film comprising an energy-absorbing ingredient is adhesive.

Applicant further argues, "Applicants' substrates do not melt the joint area, applicants' invention does not involve welding, and applicants' claims are not anticipated by the disclosure of Jones." Applicants claims are not commensurate in scope with this argument

Applicant further argues, "The insert of weld material of Jones is not a reactivatable adhesive and is not preapplied on at least one of the substrates to be welded together (i.e. a pre-applied adhesive)." Jones teaches the insert may be molded onto one of the substrates during molding or through an overmolding operation. Thus, the adhesive insert may be pre-applied and reactivated (e.g. during its use).

Applicant further argues, "In contrast, applicants add an energy-absorbing ingredient to the adhesive. Shaw fails to disclose the presence of an energy-absorbing ingredient in the adhesive". The use of the term ingredient in the claims merely requires the adhesive to include an energy-absorbing constituent. Shaw teaches a thermoplastic film that is subjected to I-R radiation to melt the film. Thus, clearly the thermoplastic film taught by Shaw includes an energy-absorbing constituent to the extent that it melts by application of I-R radiation.

Applicant further argues, "There is no disclosure or suggestion in the disclosure that the adhesive has been pre-applied to the substrate, and later reactivated using radiant energy." Shaw discloses the thermoplastic film is fed with a paperboard layer through a nip, i.e. the thermoplastic film is pre-applied, followed by subjecting the film to I-R radiation to melt the film, i.e. reactivating using radian energy.

Applicant further argues, "The prior art does not suggest or provide any motivation to use energy absorbing ingredients in amounts needed to reactivate an adhesive present on a substrate as claimed by applicants. The combined prior art fails to suggest the claimed modification or a reasonable expectation of success." As noted in the previous office action, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include in the hot melt adhesive taught by the admitted prior art energy-absorbing ingredients such as cyanine dyes for reasons including increased speed of melting and only heating of the adhesive (i.e. the paperboard, its contents, or the surrounding area and equipment are not heated).

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